

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

SEGMENT CONSULTING
MANAGEMENT, LTD., a British Columbia,
Canada Company; and LIGHTHOUSE
ENTERPRISES INC., a Barbados Company,

Plaintiffs,

v.

BLISS NUTRACETICALS LLC, a Georgia
Limited Liability Company; VIVAZEN
BOTANICALS LLC, a Florida Limited
Liability Company; and DOES 1 through 10,

Defendants.

CIVIL ACTION

FILE NO: 1:20-CV-01837-TWT

JURY DEMAND

**OBJECTION TO DELAYING HEARING ON PLAINTIFFS’
MOTION FOR A TEMPORARY RESTRAINING ORDER BEYOND
JUNE 4, 2020**

Plaintiffs Segment Consulting Management, Ltd., and Lighthouse Enterprises Inc. (collectively “Plaintiffs”) object to delaying the hearing on Plaintiffs’ Motion for a Temporary Restraining Order (the “TRO Motion”) filed in the above-captioned lawsuit (the “Lawsuit”) beyond June 4, 2020. Plaintiffs are respectful of this Court’s calendar and appreciative of this Court’s original willingness to carve time out of its undoubtedly full schedule so that the TRO Motion could be heard on May 22, 2020. Plaintiffs also acknowledge that counsel for Defendants Bliss Nutraceuticals LLC and Vivazen Botanicals LLC (collectively “Defendants”) — like Plaintiffs’ lawyers in the Lawsuit — have other client responsibilities.

Nevertheless, Plaintiffs continue to sustain the irreparable harm described in their TRO Motion each day that passes without its resolution. If the hearing is held on June 4, 2020, seven (7) weeks will have elapsed since Plaintiffs requested a temporary restraining order against Defendants' activities.

As made diamond clear in Plaintiffs' Objection to Mischaracterization of the Record filed in the Lawsuit on May 21, 2020, Defendants have, despite their contrary protestations, known of Plaintiffs' trademark infringement claims (the "Claims") against Defendants for months now. They have known for a similar time period that Plaintiffs would likely seek injunctive relief regarding the Claims. They apparently consulted with a lawyer concerning the Claims more than two months ago. Accordingly, the Claims come as no surprise to Defendants.

This Court graciously indicates that it has time to consider and rule on the TRO Motion in two weeks, on June 4, 2020. Defendants' attorneys stated in their May 21, 2020 motion for a continuance in the Lawsuit that they could be ready for a hearing on the TRO Motion within a week, or sometime around May 28, 2020. Plaintiffs are obviously available to participate in a hearing of their TRO Motion presently.

Plaintiffs respectfully request that the hearing on the TRO Motion be held on June, 4, 2020. Delaying that hearing further needlessly compounds the ongoing irreparable injury to Plaintiffs from Defendants' trademark infringement. Alternatively, Plaintiffs respectfully request that this Court temporarily restrain Defendants from selling and/or transferring any product bearing the name Vivazen to any third party until the TRO Motion is heard on June 12, 2020.

Respectfully submitted this 22nd day of May, 2020.

STRONG & HANNI, P.C.

/s/ Brian C Johnson

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CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that on the 22nd day of May, 2020, a true and correct copy of the foregoing **OBJECTION TO DELAYING HEARING ON PLAINTIFFS' MOTION FOR A TEMPORARY RESTRAINING ORDER**, with any exhibits and attachments, was served upon the following by the method respectively indicated below:

Jake Evans	<input type="checkbox"/>	U.S. Mail, Postage Prepaid
Robert S. Highsmith Jr.	<input type="checkbox"/>	Hand Delivery
Dan C. Neustadt	<input type="checkbox"/>	Overnight Mail
Matthew T. Covell	<input type="checkbox"/>	Facsimile
HOLLAND & KNIGHT	<input checked="" type="checkbox"/>	Electronic Filing
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<i>Attorneys for Bliss Nutraceuticals LLC</i>		

Dated this 22nd day of May, 2020.

STRONG & HANNI, P.C.

/s/ Brian C Johnson
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Spencer W. Young (*Pro Hac Vice*)
Attorneys for Plaintiffs